

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

John C. Harvey and James W. Cuddihy

Serial No. 08/442,383

Filed: May 16, 1995

For: **SIGNAL PROCESSING APPARATUS  
AND METHODS**



Examiner:

Group Art Unit:

Atty Dkt.

Maung, N.

2744

5634.0074

#15 Submission of  
R-1.129  
R. Morgan  
4/15/98

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MAR 25 1998  
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**Submission Under 37 C.F.R. § 1.129(a)**

**BOX: AFTER FINAL**

Assistant Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Applicants request that the finality of the final rejection dated December 28, 1997 be withdrawn in view of this timely filed first submission under 37 C.F.R. § 1.129(a). Our Check No. 155731 is enclosed for payment of the fee set forth in 37 C.F.R. § 1.17(r). The present application has an effective pendency of at least two years as of June 8, 1995, taking into account any reference of record to any earlier filed application under 35 U.S.C. § 120, 121 and 365(c). This petition and the fee set forth in § 1.17(r) are being filed prior to the filing of an appeal brief and prior to abandonment of the application. Applicant(s) therefore respectfully request that the amendment and request for reconsideration filed on February 2, 1998 be entered.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees

required therefore are hereby authorized to be charged to our Deposit Account No.

08-3038.

Date: March 20, 1998  
**HOWREY & SIMON**  
1299 Pennsylvania Avenue, NW  
Washington, D.C. 20004-2402  
Tel: (202) 783-0800

Respectfully submitted,

*Thomas J. Scott, Jr.*

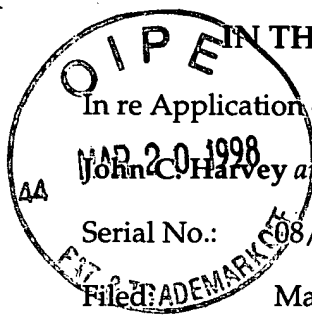
Thomas J. Scott, Jr.

Reg. No. 27,836

Attorney for Applicants

AF 167402744\$

Serial No. 08/442,383  
Docket No. 5634.0074



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John C. Harvey and James W. Cuddihy:

Serial No.: 08/442,383

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Examiner: Maung, N.

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TRANSMITTAL LETTER

**BOX: AFTER FINAL**

Assistant Commissioner of Patents  
Washington, D.C. 20231

- ☐ Amendment
- ☐ Request for Extension of Time Pursuant to 37 C.F.R. § 1.136(a) (in duplicate)
- ☒ An additional filing fee is required, and is calculated as shown below:

	(Col 1) Claims Remaining After Amendment		(Col 2) Highest No. Previously Paid for	(Col 3) Present Extra	Rate	Additional Fee
Total	*	Minus	**	=	x \$ 11.00	\$
Indep.	*	Minus	***	=	x \$ 41.00	\$
First Presentation of Mult. Dep. Claim					x \$ 135.00	\$ 0.00
<b>Total Additional Fee for Extension of Time under § 1.17 (a)</b>						\$ 0.00
<b>Total Additional Filing Fee for Submission after Final Rejection § 1.129 (a)</b>						\$ 790.00
<b>Total Fee Enclosed</b>						\$ 790.00

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid For" in this space is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid For" in this space is less than 3, write "3" in this space. "The Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ Howrey & Simon check no. 155731 in the amount of \$900.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment to Deposit Account No. 08-3038. This sheet is submitted in triplicate.
- ☐ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ 790.00 patent application processing fees under 37 CFR 1.17.

03/24/1998 RINGAT  
01 FC:146

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Date: March 20, 1998  
**HOWREY & SIMON**  
1299 Pennsylvania Avenue, NW  
Washington, D.C. 20004, Tel: (202) 783-0800

Respectfully submitted,  
*Thomas J. Scott, Jr.*  
Thomas J. Scott, Jr.  
Registration No. 27,836  
Attorney for Applicants